

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	EDTN Mag No. 1:15-MJ-144
vs.)	NDAL Case No. 14-CR-00397-RDP-TMP-5
)	
GARY LEE HAWES)	JUDGE CARTER

MEMORANDUM AND ORDER

The defendant appeared for a hearing before the undersigned on June 1, 2015, in accordance with Rules 5 and 5.1 of the Federal Rules of Criminal Procedure for an initial appearance, identity hearing, and detention hearing of the defendant on an Indictment and Warrant out of the Northern District of Alabama. Those present for the hearing included:

- (1) An Assistant United States Attorney for the Government.
- (2) The defendant.
- (3) Attorney Gianna Maio of Federal Defender Services.

After being sworn in due form of law, the defendant was informed or reminded of his privilege against self-incrimination accorded him under the 5th Amendment to the United States Constitution.

It was determined the defendant wished to be represented by an attorney at the initial appearance only and he qualified for the appointment of an attorney to represent him at government expense. Federal Defender Services of Eastern Tennessee, Inc. was APPOINTED to represent the defendant at the initial appearance only. It was ascertained defendant had been provided with a copy of the Indictment and Warrant and had the opportunity of reviewing the documents with his attorney. It was determined defendant was able to understand the copy of the aforesaid documents he had been provided.

The AUSA moved defendant be detained without bail pending a hearing in the Northern District of Alabama.

Findings

- (1) Explanation of Rule 20 of the Federal Rules of Criminal Procedure was made to the defendant. The defendant waived his Rule 5 identity hearing. The defendant asked to have a detention hearing in the charging district.

Conclusions

It is ORDERED:

(1) Defendant shall be DETAINED WITHOUT BAIL pending his transfer to the District of Arizona.

(2) The U.S. Marshal shall transport defendant to the Northern District of Alabama for a hearing before a U.S. Magistrate Judge on a date to be determined once defendant is in said district.

ENTER.

S / *William B. Mitchell Carter*

UNITED STATES MAGISTRATE JUDGE